

Remarks

Claims 1, 28, 29, 32, 36 and 40 have been amended and new claims 41-46 have been added. Review and reconsideration in view of the amendments and the remarks below are respectfully requested.

Claims 1, 3, 6, 28, 29, 32-36 and 38-40 are rejected as defining obvious subject matter over U.S. Pat. No. 2,573,861 to Meeker in view of U.S. Pat. No. 2,573,861 to Glaser, and further in view of U.S. Pat. No. 3,369,265 to Halberstadt et al. and U.S. Pat. No. 5,479,708 to Thomas. These rejections are respectfully traversed for the reasons outlined below.

Claim 1 has been amended to specify that the opening and the attachment portion are configured to cooperate such that the attachment portion is initially insertable into the opening of the handle in more than two radial positions. At the top of page 4 of the Office action, it is indicated that the Glaser reference discloses "the use of circular openings that allows for the attachment portions to be inserted in the opening at any radial position and then twisted into position." However, it is submitted that this is not an accurate interpretation of the Glaser reference in that the attachment portion cannot be inserted at any radial position.

More particularly, as shown in Fig. 5A of Glaser, the female insert 5 shown therein includes an opening 10 with a pair of side channels 11. As shown in Fig. 4C, the toothbrush head 1 includes a pair of projections 9 that fit into the channels 11 of the opening 10. Thus, the toothbrush head 1 of the Glaser reference is insertable in only two radial positions. In fact the Glaser reference itself specifically indicates this fact. At column 4, lines 53-58, it is noted:

As best seen in Figs. 5 and 5c, insert 5 also has square channels 11 formed at opposite locations within opening 10, to receive the projections 9 formed on toothbrush portion 1. Thus, toothbrush portion 1 can in this embodiment be fitted in insert 5, *in one of only two angular orientations*.

(emphasis added)

Thus, toothbrush portion 1 can be inserted into insert 5 of Figs. 5A-5C in only two angular orientations. The embodiment shown in Figs. 7A-7D of the Glaser reference is similarly configured in this regard (see column 5, lines 42-49).

In contrast, in the present invention, as shown in Figs. 6 and 7 of this application, the feed grip 42 and the attachment portion 50 do not need to be located at any particular angular or radial position to be initially coupled. In the illustrated embodiment the opening 70 is circular in end

view. This arrangement provides great convenience to the user, particularly given the fact that an operator may be required to reach over the slicer when assembling the handle and therefore may not be able to visually line up the various components. Thus, the fact that the feed grip and attachment portion can be coupled in a variety of positions allows for easier coupling.

The undersigned would like to thank the Examiner for the courtesy of the brief telephone discussion on April 5, 2006 to discuss this case. During the conversation it was discussed that more specifically claiming the interaction or cooperation between the handle and the opening, which allows the initial insertion of the handle in more than two radial position, would help to further distinguish the subject matter of claim 1 over the cited art. Accordingly claim 1 has been amended in this manner. Thus it is submitted that claim 1 distinguishes over the cited art on at least this basis.

Moreover, claim 1 also specifies that the opening of the handle includes a generally inwardly tapered side wall such that the feet engage the side wall and are urged together when the attachment portion is urged into the opening. Claim 1 also specifies that the handle is configured to be manually decoupled, without the use of tools, from the attachment portion by twisting the handle relative to the attachment portion

The Office action cites to the Halberstadt and Thomas references as disclosing the inwardly tapered sidewall. However, it is submitted that one of ordinary skill in the art would not be motivated to use the tapered side wall of the Halberstadt or Thomas reference in the device of the Glaser reference. More particularly, the Glaser reference is directed to an attachment system that operates by twisting. For example, when the Glaser toothbrush head 1 of Fig. 4C is inserted into the opening 10 of the female insert of Fig. 5A, the toothbrush head 1 is secured by a twisting motion. As can be seen in Fig. 5B (which illustrates the component of Fig. 5A in an inverted position) twisting the toothbrush head 1 causes the projections 9 to ride along ramp surfaces 12 until they seat in the grooves 13 (see column 4, line 62 – column 5, line 15).

In contrast, both the Halberstadt and Thomas references are directed to the use of inwardly-tapered side walls to force a protrusion inwardly such that the protrusion can spring outwardly into an opening to lock the components in place (see protrusion 24 and opening 42 of Fig. 1 of Thomas; and protrusions 16 and cavity between ribs 30 of Figs. 1 and 2 of Halberstadt). The use of inwardly-tapered side walls to force a protrusion inwardly is inherently incompatible

with the twisting-attachment mechanism of the Meeker reference. In fact, if one were to use an inwardly-tapered surface in the opening 10 of the device of Glaser, such inwardly-tapered surface would simply cause the projections 9 to jam up against the inwardly-tapered surface.

Finally, it is submitted that one of ordinary skill in the art would not be motivated to use the inwardly-tapered side wall of the Halberstadt reference since the shape of the side wall is not symmetrical and thus would prevent twisting of the handle for uncoupling purposes. The tapered female component (i.e. socket 22) of the Halberstadt reference has a flat upper wall and a convexly curved bottom wall (see column 2, lines 48-49). The corresponding shaft 8 has a flat upper section 12 and convexly curved undersurface 14 (see column 2, lines 22-24) to correspond to the shape of the socket 22. Thus the socket 22 and shaft 8 of Halberstadt are shaped to fit together to form a non-rotatable coupling.

Claim 1 specifies that the handle is configured to be manually decoupled, without the use of tools, from the attachment portion by twisting the handle relative to the attachment portion. In contrast the system of the Halberstadt reference is directed to a system wherein the handle cannot be twisted relative to the attachment portion, and also therefore cannot be utilized in the system of the Glaser reference. Thus it is submitted that claim 1 also distinguishes over the cited art on this basis. During the above-referenced telephone discussion, the Examiner acknowledged that this may be a valid distinguishing feature over the cited art.

Independent claim 32 includes limitations similar to those of claim 1 discussed above. More particularly, claim 32 specifies that the handle has an opening shaped to urge the legs of the attachment portion toward each other when the attachment portion is inserted into the opening. Claim 32 also specifies that the handle is manually detachable from the attachment portion by twisting the handle relative to the attachment portion. Thus, it is submitted that claim 32 also patentably distinguishes over the cited references.

Claims 7, 8, 18 and 19 are rejected as being unpatentable over Meeker in view of Glaser and further in view of Halberstadt or Thomas. However, it is submitted that none of those references disclose a pair of spaced generally parallel legs configured to be displaced radially and toward each other, as specified in claim 7. In contrast, the projections 9 of the Glaser reference appear to be rigid, and are not disclosed to be displaced radially inwardly and toward each other. In the rejection of claim 7, the Office action refers to the legs 17/feet 16 of the

female insert 5 (see Figs. 5A and 5B). However, the legs 17/feet 16 do not allow that component to be manually decoupled by twisting. Instead, the female insert 5 forms a fixed locking arrangement when inserted into the handle 2 (see column 5, lines 25-31).

New independent claim 45 is somewhat similar to claim 1 but specifies that the opening and the attachment portion are configured to cooperate such that the attachment portion is initially insertable into the opening in at least three radial positions, and wherein the attachment portion "is received" in at least one of the at least three radial positions. Thus claim 45 more positively recites the cooperation between the opening and attachment portion that provides various attachment options.

New independent claim 46 specifies that the attachment portion includes a pair of generally parallel spaced apart legs, with each leg having a indentation shaped to receive a jaw of a pair of needle nose pliers therein. The indentations are visible as components 78 in Figs. 5, 7 and 8, and are discussed at page 6, lines 3-6 of the application. Based upon the above-referenced conversation with the Examiner, claim 46 is directed to subject matter which the Examiner had suggested, in the most recent Office action, may read over the prior art.

Claims 36 and 40 have been amended to clarify that the entirety of the end opening is circular in end view and lacks any other openings that communicate with the entirely circular opening, which other openings are visible in end view. This "entirely circular" shape allows for free rotation of the handle in the opening, but does not include end cavities and the like in which food and debris may be trapped. In contrast, the end opening of the Glaser reference does not meet the limitations of claims 36 and 40.

Accordingly, it is submitted that the application is in a condition for allowance, and a formal notice thereof is respectfully solicited.

The applicant(s) hereby authorizes the Commissioner under 37 C.F.R. §1.136(a)(3) to treat any paper that is filed in this application which requires an extension of time as incorporating a request for such an extension. The Commissioner is hereby authorized to charge

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Amendment

any additional fees which may be required by this paper, or to credit any overpayment to Deposit
Account 20-0809.

Respectfully submitted,



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